

## **National Association of Counties Achievement Award Application**

### **Aroostook County -- Maine**

#### **1. Abstract of Aroostook County's Correctional System**

In the State of Maine, Aroostook County is the largest county geographically, encompassing 6,672 square miles; an area larger than Connecticut and Rhode Island combined. Its population of approximately 75,000 is diverse, with significant rural areas covering much of the region, but also with a number of bustling urban areas as well. It also borders with Quebec and New Brunswick, Canada and is one of the largest counties east of the Mississippi River. The county contains 2 cities, 54 towns, 11 plantations, and 108 organized townships.

This complex region poses unique challenges for any county criminal justice system, and the Sheriff's Department of Aroostook County has worked in a comprehensive manner to address the needs of the incarcerated and pretrial populations under its jurisdiction. Their pretrial services contract, use of video conferencing technology to span courts located hundreds of miles apart, participation in an innovative transportation system, and their close collaboration with the judiciary has set an excellent precedent and makes them worthy of recognition from the National Association of Counties.

#### **2. Need/Problem**

The County of Aroostook has had to deal with a number of significant challenges in its correctional system over the past decade. Jail overcrowding, huge expanses between the jail and county courthouses, high transportation costs and needs have all been challenges that the Sheriff's Department has been willing to address in innovative ways.

The Aroostook County Jail, built in 1889, was designed to hold approximately 66 prisoners at any one time, though with a jail variance it may now hold more inmates. This facility, linear in design and renovated in the 1980's, has served the County well over the years but is too small for the increasing population of Aroostook. Over time, a complex number of factors has come into play causing the burden on the facility to increase. With increased technology, improved crime detection/apprehension abilities,

crime rates holding steady, and courts proceedings often taking months to complete, the jail overcrowding at Aroostook County became an issue that needed to be addressed. Through a jail variance, the county has been permitted to hold more detainees, but the facility simply is not large enough to meet the needs of the population. Currently, the jail is permitted to have 72 inmates at any time in the facility- but the need of the community far extends that capacity.

One option that the facility needed to take was the “boarding out” of prisoners to other county jails throughout the State of Maine. At one time, this process was extremely expensive, costing upwards of a hundred dollars a day, depending on which facility Aroostook was “renting” bed space from. In addition to the significant and tangible fiscal burden that expense placed on Aroostook County’s correctional budget, there were the additional costs of transporting prisoners to and from their County jail to other County jails- sometimes hundreds and hundreds of miles away from the Houlton, ME jail. While the cost of boarding prisoners outside of Aroostook County has decreased since the advent of the Board of Corrections, associated costs remain such as transportation, overtime, etc.

Moreover, the pretrial services program aims to supervise defendants charged with criminal conduct in the most cost effective way that is safe. Supervision of pretrial defendants in the community allows them a better opportunity to mount a defense, allows defendants the ability to maintain their home, engage in treatment if necessary, and be participating members of society while under supervision and adhering to set conditions of release. Using the video conferencing process, the information vital to making informed decisions regarding bail, conditions of release, and supervision, can be made in a timely manner, ensuring that justice is able to happen.

### **3. Description of the Program**

In order to help deal with the overcrowding issue and to utilize community corrections funds, the Sheriff’s Department contracted for pretrial services, starting in 2005. The Sheriff’s Department contracted for two positions with Maine Pretrial Services, Inc. which would cover the entire County. It became clear early on that there were significant challenges as to how supervise defendants in a county with the

demographics of Aroostook and spanning seven courts. The pretrial services staff have also had to provide supervision to clients who live over a significant geographical area, and pretrial services has made it a priority to be understanding of the challenges of traveling great distances.

To meet the diverse needs of the supervised defendants, offices have been set up in both the northern and southern region of the county. Staff are also able to use creative measures to assist clients in abiding by conditions of release set by the court and still recognize the challenges that often face this criminal justice population, such as loss of driver's licenses, poverty, lack of transportation resources, etc. The Staff is able to assist in coordinating rides, meeting defendants at local police departments, and working with the Sheriff's department to do home visits when necessary.

In addition to the use of such creative measures, the pretrial staff is also able to utilize the video technology that the Aroostook County Jail has installed and operates in the jail facility. Essentially, this technology allows partnership between the County jail and all of the courts in Aroostook, and pretrial services is able to benefit from that relationship and process. Instead of the County jail moving defendants between courts for pretrial arraignment processing, a video link established between the court and the jail allows that arraignment process to happen. The district attorney's office and defense council also have access to detainees through this route.

Pretrial services is able to interview defendants prior to court to get background information about potential pretrial supervision clients. The gathering of this information is a vital part of pretrial services and allows the pretrial staff to make informed decisions about who to supervise in the community. Without this access and the subsequent verification process, public safety would be jeopardized. However, having access to the pretrial defendants at the jail, and not spending all day driving between courts with the defendants, allows the process to work smoothly and gives the pretrial line staff the ability to go through the verification process (or at least get that process started) prior to pretrial arraignments. This video process also allows the tight schedule of judicial processing to occur, and allows court to start in the early afternoon.

The two contracted pretrial supervision positions have significantly reduced the number of individuals that the Sheriff's department has had to board out at other county

facilities. At any given time there are at least 40 people supervised on this type of bail, and at times there have been as many as a hundred persons supervised out on bail. This pretrial supervision has also helped to provide defendants facing criminal charges another option for release into the community other than posting a bail.

It should be noted that in order for any pretrial services program to function well, there needs to be collaboration among a number of stakeholders, including the jail, judiciary and clerk's office, the prosecutor, and defense bar. Without the communication and collaboration among the many stakeholders, the pretrial and video court programs in Aroostook county would not have happened.

#### **4. Use of Technology**

Other substantial steps have been taken to gain efficiencies in processing criminal complaints in the county of Aroostook. A great deal of effort was put into the use of video conference technology, for use in video arraignments, child and civil service matters, and failure to pay fine issues. This use of technology has spanned the five district courts and two superior courts that serve Aroostook.

In order to implement video conferencing in Aroostook, a great deal of partnership and close collaboration was needed with the judiciary. This has led to strong working relationships between the County Sheriffs Department, the judiciary, prosecutor's offices, and pretrial services. The use of video technology first required the agreement and buy-in from all stakeholders, financial commitments, and MOU and protocol establishment. The following is a list of technology items required for video conferencing/video arraignment court:

- Network Terminator (NT3)
- Quad BRI: Inverse Multi-plexor (IMUX)
- 32" TV Monitor (and cart)
- ISDN Lines

The following is a listing of other technology items required for pretrial services:

- Fax machine
- Phone Lines
- Personal Computer
- Cellular Phone

- DSL Line
- Email account
- GPS (for transportation purposes, not for defendant location monitoring)

#### **4. Cost of the Program:**

It is important to detail out the cost not only of the pretrial services staffing expenses but also the cost for video conferencing because without video conferencing, the costs for pretrial services delivery would be much higher.

The total contract cost for two pretrial services staff in Aroostook County is \$125,051. This cost covers the employees, their benefits, travel expenses (a significant portion due to the geographic landscape), overhead and administration. The Aroostook County Sheriff's department provides the pretrial services staff an office out of their county government building and pays for utilities and phone services as well.

The first year costs for implementation of video technology services were approximately \$15,000; this includes equipment purchase, installation of needed lines and technology, and room setup. Ongoing costs are approximately \$3,100 per year to maintain video conferencing. These expenses are only for the point of service from Aroostook County Jail and do not reflect the costs for other partners such as the judiciary, who had to install the same equipment in a courtroom.

#### **5. Results/Success**

In 2010, an average of 58 persons per day were not housed in the Aroostook County Jail due to pretrial services which includes both purely pretrial defendants and also post-conviction deferred disposition clients. The total number of days that these people were not housed in the jail last year was 21,441. While it is difficult to assess the hard dollar amount the cost of incarceration of these persons within the unified system, a marginal rate of \$20 per day to house those individuals would have equated to an extra cost of \$428,820. Avoiding these costs for Aroostook County and for the system as a whole contributes to the health of the system in general.

The pretrial services program supervised 186 persons throughout 2010. Of the 186 supervised, motions to revoke bail were filed in only 46 cases, with 32 cases for

technical reasons (positive drug test, curfew violation, etc.), 16 cases of new criminal conduct (which can be simply the charge of Violation of Conditions of Release), and only 3 failure to appear violations.

This equates to the following violation rates:

Overall violations:	24%
Technical Violation:	17%
New Criminal Charges:	8%
Failure to Appear:	1%

It is clear from the above data that the program has had a significant impact not only on the number of pretrial detainees held in the Aroostook County Jail but also appears to be a high quality pretrial services program. It should be noted that to date that a formal risk assessment tool is not used and shared with the judiciary, so it is difficult to ascertain if the “right” population is under pretrial services supervision. However, the data clearly suggests that the pretrial population under this supervision service is, for the most part, completing supervision successfully.

## **7. Worthiness of Award**

Aroostook County Sheriff’s Department is worthy of recognition for their efforts and successes in providing a robust pretrial services program that integrates the use of video technology to meet the unique needs their county. Though the county is geographically large and diverse, the Sheriff’s department, the pretrial services provider, the judiciary, and county government have been able to work in a collaborative manner to meet the needs of Aroostook County’s incarcerated citizens.

In addition to providing prompt judicial processing of pretrial detainees, the pretrial services program provides an alternative to incarceration. Without this option, it is likely that even more defendants would be detained pretrial, awaiting case disposition but maintaining a presumption of innocence. The right to bail that is not excessive, a constitutional right, is intact in Aroostook County, Maine, because of the efforts of criminal justice stakeholders throughout the system.

Finally, the programs that functions in Aroostook, from video-court to pretrial services, meet the needs of Aroostook County’s incarcerated citizens. Providing high

quality service to the criminal justice population, often the most vulnerable in society, is a cost-effective and responsible act, worthy of recognition.